

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA  
v.  
YU XUE,  
Defendant.

CRIMINAL ACTION  
NO. 16-22-1

**ORDER**

**AND NOW**, this 1st day of August 2018, upon consideration of Defendant Yu Xue's Motion to Dismiss for Prosecutorial Misconduct (Doc. No. 181), the Government's Response to Defendant Yu Xue's Motion to Dismiss for Prosecutorial Misconduct (Doc. No. 182), the Affidavit of Robert J. Livermore, Esquire (Doc. No. 187), Defendant Yu Xue's Reply in Support of Motion to Dismiss for Prosecutorial Misconduct (Doc. No. 192), the Government's letter sur-reply (Doc. No. 193), the arguments of counsel for the parties at the April 30, 2018 hearing on all pretrial motions, and in accordance with the Opinion of the Court issued on this day, it is **ORDERED** that Defendant Yu Xue's Motion to Dismiss (Doc. No. 181) is **DENIED**.

BY THE COURT:

/s/ Joel H. Slomsky  
JOEL H. SLOMSKY, J.

